Victims of Crime Act

R.S.P.E.I. 1988, Cap. V-3.1

12th Annual Report

April 1, 2000 to March 31, 2001

Prince Edward Island
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Office of the
Attorney General

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TWELFTH ANNUAL REPORT

Victims of Crime Act
R.S.P.E.I. 1988, Cap. V-3.1

April 1, 2000 - March 31, 2001

Prince Edward Island Office of the Attorney General
P. O. Box 2000, Charlottetown, PE C1A 7N8

September 17, 2001

TO: The Honourable J. Leonce Bernard
Lieutenant Governor
Province of Prince Edward Island

MAY IT PLEASE YOUR HONOUR:

I have the honour to submit the Twelfth Annual Report of the administration of the *Victims of Crime Act*, R.S.P.E.I. 1988, Cap. V-3.1 pursuant to section 36 of the *Act*.

I have the honour to be Sir your obedient servant.

Jeffrey E. Lantz
Attorney General

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PART I INTRODUCTION

The *Victims of Crime Act*, R.S.P.E.I. 1988, Cap.V-3.1 was proclaimed in force September 30, 1989. Regulations and Orders under the *Act* also came into force on that date. Extensive amendments to the *Act* came into effect August 7, 1999. These amendments included the addition of principles (h) and (i) listed below.

The Statement of Principles contained in Part I of the *Victims of Crime Act* sets out the following principles for the guidance of persons in providing justice for victims of crime:

(a) Victims should be treated with courtesy and compassion and with respect for their dignity, privacy, and convenience;

(b) Victims should receive prompt and fair financial redress for the harm they have suffered;

(c) Victims should be informed of and should have access to services including social, medical, legal, and mental health assistance;

(d) Victims should be informed about the progress of the investigation and prosecution of the offense, court procedures, the role of the victim in court proceedings, and the ultimate disposition of the proceedings;

(e) Victims are entitled, where their personal interests are affected, to have their views and concerns brought to the attention of the Court where consistent with criminal law and procedure;

(f) Victims and their families should be protected from intimidation, retaliation, and harassment;

(g) Victims should have their stolen property returned to them as soon as possible after recovery by law enforcement authorities.

(h) Victims are entitled to prepare a victim impact statement and have it considered by the court at sentencing.

(i) Victims are entitled to be informed about the offender's status, including release dates, parole eligibility, and probation terms.

The other parts of the *Act* include Victim Services, Victim Assistance Fund, Criminal Injuries Compensation, and General.

PART II REPORT OF THE VICTIM SERVICES ADVISORY COMMITTEE

The Victim Services Advisory Committee is established under Part II of the *Victims of Crime Act*. Section 4, as amended effective August 7, 1999, states the Committee's mandate is as follows:

> 4.(1) The Committee shall
>
> (a) review existing laws, policies and procedures and recommend changes to benefit victims;
> (b) assist law enforcement agencies, social agencies and other organizations with the development of guidelines that promote the principles set out in this *Act* relating to their role in respect of victims;
> (c) assist with establishing and updating procedures for the handling of complaints by victims;
> (d) assist with the research, development and distribution of information pertaining to the needs, rights and concerns of victims;
> (e) provide opportunities for research, discussion, and resolution of issues of concern to victims; and
> (f) advise on other matters that the Minister may refer to the Committee for consideration.
>
> (2) In the performance of its functions the Committee shall be guided and shall promote the principles set out in section 2. [The Statement of Principle]
>
> (3) The Committee may make recommendations to the Minister relating to;
>
> (a) the development of policies and legislation respecting assistance to victims;
>
> (b) the provision of services, including criminal injuries compensation, to victims; and
>
> (c) any other matters that the Minister refers to the Committee for its recommendation.

The *Victims of Crime Act* also provides the following terms of reference for the Victim Services Advisory Committee:

> 5. The Committee shall make an annual report to the Minister on the activities of the Committee.
>
> 6 (1) The Committee shall consist of not less than nine and not more than fifteen members appointed by the Minister.
> 6 (2) The Committee shall include representatives of Crown attorneys, court clerks, Probation Services, law enforcement agencies, the Law Society of

Prince Edward Island, community organizations and the general public.
6 (3) Committee members shall not receive remuneration for their services but may receive reimbursement from the Fund of reasonable expenses incurred on behalf of the Committee.
6 (4) The Minister shall provide executive, secretarial, and any other assistance the Minister considers necessary to enable the Committee to carry out its functions.
6 (5) Each member shall be appointed to the Committee for a term of not more than three years and may be appointed for a second term.

The principles which guide the work of the Victim Services Advisory Committee are those listed in Part I of this Annual Report.

Members of the Victim Services Advisory Committee as of March 31, 2001, and the organizations they represent are as follows:

Erin Campbell	Youth Action Committee
Thane MacEachern	Law Society of Prince Edward Island
Chief Jamie Fox	Chiefs of Police Association
Barrie Grandy	Crown Attorneys
Jo-Anne Hargrove	Probation Services
Lorna Hutcheson	Rape and Sexual Assault Crisis Centre
Orlo Jones	Senior Citizens Federation of Prince Edward Island
Chief Paul Smith	Charlottetown Police Department
Scott Miller	Survivors of Drinking and Driving
Agdas Missaghian	Newcomers to Canada Association
Heidi Rankin	Advisory Council on the Status of Women
Ellen Ridgeway	Transition House Association
Ann Sherman	Community Legal Information Association
Cpl. Richard Thibault	R.C.M.P. "L" Division
Judy Turpin	Court Clerks

During the 2000/01 fiscal year, the Victim Services Advisory Committee met on June 9, September 15, December 10, and March 2. Jo-Anne Hargrove and Ann Sherman co-chaired the Committee.

At each meeting, the Victim Services Advisory Committee discussed the report *Family Violence and the Justice System Response* (March, 2000) written by Anne Nicholson on behalf of the Victim Services Advisory Committee. This report was prepared at the request of the Attorney General.

Throughout the year, a sub-committee of the Victim Services Advisory Committee worked toward implementation of the recommendations. A report on the sub-committee's progress up to March 31, 2001 is attached as Appendix A.

At its meetings, the Victim Services Advisory Committee discussed progress on the evaluation of the *Victims of Family Violence Act.* Funding for this evaluation was committed by Justice Canada; the R.C.M.P.; and the Community and Correctional Services Division, Office of the Attorney General. At fiscal year end, the final report of the evaluation had been drafted and was nearing completion. The Evaluation Sub-committee provided input and guidance on the research which was conducted by Bradford and Associates.

Together with Justice Canada's Policy Centre on Victims' Issues, the Victim Services Advisory Committee co-hosted a Provincial Roundtable on Victims' Issues. The Roundtable was held on October 25 and 26 in Charlottetown. Thirty-two participants, including representatives from justice and other government agencies, community groups, and individual victims of crime attended the Roundtable. The Roundtable resulted in fifty-eight recommendations to improve the response of the justice system to victims of crime. A sub-committee of the Victim Services Advisory Committee reviewed all the recommendations and drafted responses for inclusion in the final report from the Roundtable. The sub-committee included: Ann Sherman, Jo-Anne Hargrove, Lorna Hutcheson, Erin Campbell, Phil Arbing and Ellie Reddin. The sub-committee's plan was to distribute the final report to everyone who had been invited to the Roundtable and to direct specific recommendations to individuals or groups having an interest in or some ability to act on the recommendations.

Following from its work in previous years in support of gun control, the Victim Services Advisory Committee decided at its June 9 meeting that a letter suggesting a provincial amnesty on firearms should be sent to the Attorney General and copied to the Chiefs of Police Association. This letter was sent August 22, 2000. As a result, a Notice was printed in Island newspapers regarding a two-day voluntary firearms turn in program on November 17 and 18. The program was organized by the Provincial Firearms Office in conjunction with all police agencies in P.E.I. Anyone who wished to dispose of firearms and/or ammunition was asked to call their local police office to arrange for the police to pick up the firearms and/or ammunition. Eighty-nine firearms and a significant quantity of ammunition were turned in as a result of this initiative. A letter thanking the Attorney General, Provincial Firearms Office, and Chiefs of Police Association was sent on February 21, 2001.

Due to Victim Services concerns that some sex offenders were changing their names without police being notified, this issue was discussed at the September 15 Victim Services Advisory Committee meeting. The Committee discussed the new *Change of Name Act* and whether those offenders under the supervision of correctional authorities could be prohibited from changing their names. The Committee decided to request a meeting between representatives of the Committee and the Vital Statistics Program. This meeting was held in January, 2001. The Committee learned that the new *Change of Name Act* was passed in 1997, but not yet proclaimed because regulations and forms had to be

developed. The new *Act* will include tighter provisions which should discourage offenders from changing their names and should ensure that the R.C.M.P. and municipal police are notified of any name changes.

Another issue the Victim Services Advisory Committee acted on was lawyers' trust funds. This matter was raised because of the recent cases involving fraudulent misuse of funds, resulting in numerous victims losing large sums of money. At its September meeting, the Committee recommended that representatives meet with the Executive Director of the Law Society of Prince Edward Island. This meeting was held on November 10, 2000. At the December 1 meeting, the Committee decided to write a letter to the Law Society suggesting that: random audits of trust funds be conducted by auditors selected by the Law Society; the reimbursement fund become a fund of first resort rather than last resort; and the Province provide to the reimbursement fund a portion of the PST paid on legal services. This letter was sent on February 28, 2001.

At the September 15 meeting, the Victim Services Advisory Committee was asked for representatives to form a reference group for the Justice Options for Women who are Victims of Violence project. Six representatives of the VSAC participated on the reference group.

At the March 2, 2001 meeting, the Victim Services Advisory Committee was asked for a representative to the High Risk Offenders Review Committee. Heidi Rankin agreed to participate on this committee.

At its March 2nd meeting, the committee discussed legislation enacted in some provinces to provide for Community Treatment Orders. These orders make it easier to ensure persons with serious mental illness receive treatment as a means of preventing them from committing violent crimes. Ann Sherman agreed to obtain information about the P.E.I. *Mental Health Act* for discussion at the next meeting.

The issue of elder abuse was also discussed at the meeting on March 2nd, specifically the need for stricter guidelines or regulations for the protection of elderly people in residential care. The Committee decided to write a letter to the Attorney General requesting that the Province license all residential facilities with people in care; advocate for an increase in the maximum *Criminal Code* penalty for failure to provide

the necessaries of life; and reassess the *Adult Protection Act* for possible inclusion of mandatory reporting.

Attorney General Jeffrey E. Lantz attended the Victim Services Advisory Committee meeting on September 15, 2000. The Attorney General recognized the contribution of outgoing Committee Members and welcomed incoming members. He also spoke about the report on *Family Violence and the Justice System Response* and the importance of implementing the recommendations from the report.

The Victim Services Advisory Committee invited guest speakers to each of tis meetings. On June 9, 2000, Julie Devon Dodd spoke about Restorative Justice. On September 15, Alan Buchanan, Commissioner, Law Commission of Canada, spoke about the Commission's work on Institutional Child Abuse, presented findings of research and consultations and showed the video "Just Children." Cathy Trainor, Canadian Centre for Justice Statistics, spoke about the 1999 General Social Survey on Victimization at the December 1st meeting. On March 2, 2001, Kirstin Lund spoke about the Woman Abuse Protocols which have been developed for justice agencies, financial assistance, and hospital emergency.

Many information items were brought to the attention of the Victim Services Advisory Committee during the year. Some of these include: a report on workshops held on the *Criminal Code* amendments (Victims of Crime) which came into effect December 1, 1999; a report on a provincial Child Victim Consultation; updates on the Parliamentary Review of the *Corrections and Conditional Release Act*; information about proposed *Criminal Code* amendments regarding greater penalties for home invasion and criminal harassment; a report of the 10th International Symposium on Victimology held in Montreal in August, 2000; information about the MADD Report Card on Impaired Driving; information about the national Crime Prevention Community Mobilization Fund; reports on the national Forum on Spousal Abuse and the Ad Hoc Federal/Provincial/Territorial Working Group Reviewing Spousal Abuse Policies and Legislation; and information about fund-raisers and other community events.

Respectfully submitted,

Jo-Anne Hargrove, Co-chair

Ann Sherman, Co-chair

APPENDIX A

Progress Report - Implementation of Recommendations from *Family Violence and the Justice System Response*

Family Violence and the Justice System Response, a Report to the Attorney General of Prince Edward Island, was written by Anne Nicholson in March, 2000, for the Victim Services Advisory Committee.

A sub-committee of the Victim Services Advisory Committee provided advice and information during the preparation of the Report and the same sub-committee took on the task of monitoring and encouraging implementation of the recommendations from the Report. Members of this sub-committee are:

Phil Arbing, Provincial Advisor, Justice and Corrections
Barrie Grandy, Director, Crown Attorneys
Jo-Anne Hargrove, Co-chair, Victim Services Advisory Committee
Lorna Hutcheson, Coordinator, PEI Rape/Sexual Assault Crisis Centre
Ellie Reddin, Provincial Manager, Victim Services
Ann Sherman, Co-chair, Victim Services Advisory Committee
Richard Thibault, A. NCO I/C Community Policing, "L" Division RCMP

Members of the sub-committee met with Attorney General, Jeffrey E. Lantz, on September 7, 2000, to discuss the Report, implementation of the recommendations, and distribution of the Report. Attorney General Lantz suggested bringing together key justice officials at a Roundtable to exchange ideas and discuss possible options for implementing recommendations #5, #6, and #8. Following the meeting, the Report, together with a covering letter from the Attorney General, was distributed to everyone who had participated in focus groups during preparation of the Report.

The implementation committee met on September 27, October 30, November 28, and December 18, 2000 and on January 8 and January 23, 2001.

The following is a summary of progress to date on each recommendation:

Recommendation #1

Legal assistance for victims of family violence is the most pressing need identified in this report. **It is recommended that family legal services for victims of family violence be the responsibility of Victim Services.** A Victim Services staff lawyer would process Victim Assistance Orders and rehearings of Emergency Protection Orders and represent victims of family violence in family court.

Status: This recommendation has been considered during planning for the proposed Family Law Section within the Office of the Attorney General. The plan is that a family law lawyer hired as part of the Family Law Section will be assigned to Victim Services to provide legal services to victims of family violence as recommended above.

Recommendation #2

The *Victims of Family Violence Act* requires improved resources to ensure that it is performing the function for which it was designed. **It is recommended that the 911 emergency line provide the service to connect police with Justices of the Peace to process Emergency Protection Orders under the *Victims of Family Violence Act*. It is further recommended that fax machines be provided to Justices of the Peace so that police statements can be faxed to them for processing.**

Status: The use of the 911 emergency line as a means to connect police with designated Justices of the Peace has now been explored and found not to be feasible. Ways to improve the current system will continue to be explored. At a meeting on February 22, 2001, the use of fax machines was discussed with the Justices of the Peace. One Justice of the Peace is currently testing the use of a fax machine to determine whether it will speed up hearings of Emergency Protection Orders.

Recommendation #3

Emergency financial assistance should be available to families when the main income earner is removed for the protection of the family. **It is recommended that consideration be given to amending the *Victims of Family Violence Act* to include emergency financial support orders through Emergency Protection Orders and Victim Assistance Orders.**

Status: The designated Justices of the Peace discussed this recommendation at their meeting on February 22, 2001. They believe it would be very difficult to determine and make an order for financial support as part of an Emergency Protection Order. This recommendation will be given further consideration for amendments to the provisions included in Victim Assistance Orders.

Recommendation #4

Victims who remain in their homes after the abuser has been removed, need more access to support services than is available. More staff resources are needed for family violence cases. **It is recommended that an additional Victim Services Worker be hired and the administrative support position in Prince County be increased to full-time.**

Status: The administrative support position at Victim Services Prince County office was increased to full-time, effective September 12, 2000. Through project

funding from the Victims of Crime Fund, Justice Canada, an additional Victim Services Worker was hired for a two year period beginning January 15, 2001. It is hoped that a permanent position will be created if workloads continue to be as high as they have been.

Recommendation #5

Victims do not feel safe in courthouses when they are forced to wait in areas shared by the accused. **It is recommended that adequate and appropriate space be provided in all courthouses for the use of Victim Services, their clients and Crown Attorneys.**

Status: This was one of the recommendations discussed at the Roundtable of Justice Officials held on March 16, 2001 (see Recommendation #6). Some courthouses, e.g., Georgetown and the Provincial Court in Charlottetown have adequate, designated waiting areas/offices for Victim Services and Crown Attorneys. At the Supreme Court in Charlottetown, some rooms outside the courtrooms can be reserved, but this system doesn't always work. Given current discussion about building a new courthouse in Summerside, the Victim Services Advisory Committee wrote a letter to the Attorney General, dated February 28, 2001, recommending that a Committee Member be included on any planning committees for building or renovating courthouses.

Recommendation #6

There are now technological options to allow further protection of victims in the courts. **It is recommended that an inventory of existing courthouse equipment be conducted followed by a vigorous examination of technological advancement including video conferencing and closed circuit TV, to find ways to improve the court experience for victims of family violence**.

Status This recommendation was discussed at the Roundtable of Justice Officials on March 16, 2001. Mr. Justice William Wolski, Ontario Court of Justice, was the guest speaker for the Roundtable. Mr. Justice Wolski is an expert in the use of courtroom technology, especially the use of child friendly courtrooms and closed circuit TV with children and other vulnerable witnesses. The sub-committee has been informed that the Supreme Court in Charlottetown has the necessary wiring to allow for the use of closed circuit TV, but equipment would have to be purchased. Even where this technology exists in other provinces, it is not used very often. Use of closed circuit TV or video conferencing for adult victims of family violence requires amendments to the *Criminal Code of Canada*.

Recommendation #7

Not all justice officials are familiar with the Turning Point Program and not all family violence offenders are being referred to Turning Point. Trained co-facilitators are needed to run Turning Point Groups. **It is recommended that all men who have been sentenced for abusing their female partners be assessed by the Turning Point Coordinator for the appropriate treatment. It is further recommended that a renewed commitment be made by the provincial government and related organizations, to support experienced staff who are interested in co-facilitating Turning Point Groups.**

Status: As part of a larger effort to develop protocols for responding to abused women, Probation Services has recently drafted a Woman Abuse Protocol. This protocol indicates that abusive men are to be referred to Turning Point. Also, the Director of Crown Attorneys has suggested to all Crown Attorneys that they request Turning Point rather than anger management as a condition of probation in family violence cases. The Turning Point Coordinator is currently planning a two-day training session for professionals interested in co-facilitating Turning Point Groups.

Recommendation #8

Probation orders should be in effect as soon as they are delivered by the judge. **It is recommended that a speedy process be implemented for having probation orders signed by the offender and made available to the police.**

Status: This recommendation was the subject of a meeting on February 5, 2001, of sub-committee members with Alan Paquet, Provincial Manager of Community Services; Dorothy Kitson, Registrar, Supreme Court; and Greg White, Information Technology Consultant. The recommendation was further discussed on February 23, 2001 by sub-committee members at a meeting with Provincial Court Judges John Douglas, Nancy Orr, and Ralph Thompson; Probation Services Managers, Bob Albert and Frank Lavandier; Dorothy Kitson, Registrar; and Judy Turpin, Chief Provincial Court Clerk. In addition, the recommendation was discussed at the Roundtable of Justice Officials on March 16, 2001.

In the longer term, the sub-committee's goal is to have probation orders signed before the offender leaves the courtroom. Having the order signed immediately would mean that it could be entered without delay on the CPIC police information system and, if the conditions were breached, charges could be laid and prosecuted successfully. Justice Wolski stated that in some courts in Ontario there are two clerks and a court reporter. The clerks type up the probation orders in court, then take them to a Probation Officer who is outside the courtroom. The offender is told not to leave the courthouse until the order is signed. All probation orders are signed within half an hour. Staff from the Summerside court agreed to try this process on a pilot basis. Some additional staff resources will be required, especially in Charlottetown, before this

process can be fully implemented. Meanwhile, in Charlottetown, it was agreed that Provincial Court Arraignments would be held on Mondays and Tuesdays and offenders would be directed to attend at Probation Services offices on Fridays so that all orders could be explained and signed within the week, rather than waiting until cases are assigned to Probation Services staff before signing. Further work will be done to look into the possibility of entry on CPIC immediately after the order is made, rather than waiting for it to be signed.

Recommendation #9

Continuing education is needed for all members of the justice system. Individuals or teams within each agency should be identified to develop expertise in the area of family violence. These resource people would take on the responsibility for updating co-workers on family violence issues and maintaining interagency cooperation through regular interagency meetings. **It is recommended that resource people be identified in all justice agencies to take on the responsibility for continuing educational programs on family violence issues. These resource people would also participate in regular interagency meetings to monitor the justice system's response to family violence, identify problems, and develop solutions in cooperation with other justice officials.**

Status: At its meeting on September 27, 2000, the sub-committee agreed that this recommendation presents a significant challenge that will require a focussed effort to determine the best approach and sustained efforts to ensure it remains current and effective. Projects and initiatives are currently going on in P.E.I. that are addressing this recommendation. Some of these include: Justice Options for Women; Women Abuse Protocol and Policy; and the Evaluation of the *Victims of Family Violence Act.*

Recommendation #10

The public needs to be informed about the laws affecting families especially those pertaining to family violence. **It is recommended that the Department of Community Services and Attorney General commit resources to a public education campaign on family violence legislation and other laws affecting families on Prince Edward Island.**

Status: The sub-committee began plans to contract with Community Legal Information Association to develop and carry out a public education campaign as recommended above.

Recommendation #11

Evaluation and monitoring should be a part of any effective plan to address the problem of family violence. **It is recommended that the status of these recommendations be reviewed by the Victim Services Advisory Committee in one**

year and a progress report be presented to the Minister. It is further recommended that a similar consultation study be conducted every five years to monitor the progress of the justice system in developing appropriate responses to family violence.

Status: This progress report addresses the first part of this recommendation.

Recommendation #12

It is recommended that this report be made available to those who participated in these consultations and to others upon request.

The report, *Family Violence and the Justice System Response*, together with a covering letter from the Attorney General dated September 14, 2000 was distributed to everyone who participated in the consultations. The report is also available to the public upon request.

PART III REPORT OF THE VICTIM SERVICES PROGRAM

Victim Services has provided a criminal justice system-based service to victims of crime province-wide since April, 1989. The system-based approach was developed on Prince Edward Island and has been adopted by several other provinces/territories. The key attributes of a system-based Victim Services program are that it:

- operates within the criminal justice system, but independently from the police, Crown attorneys, or the courts;
- is client-centred;
- maintains close working relationships with criminal justice personnel and community agencies;
- assists victims of crime at all stages of the criminal justice process;
- uses an outreach approach.

Mandate:

Section 7 of the *Victims of Crime Act* (amended effective August 7, 1999) states that the purpose of Victim Services is:

a) to assist victims as needed throughout their contacts with the criminal justice system;
b) to help victims to access other needed services;
c) to receive applications for criminal injuries compensation and investigate claims on behalf of the Minister;
d) to assist with the preparation and filing of victim impact statements;
e) to assist justice personnel and community agencies in providing services to victims;
f) to promote the Statement of Principles set out in section 2.

Mission Statement:

Victim Services provides a client-centred service for victims of crime, ensuring respect for their dignity and privacy. Victim Services assists clients throughout their involvement with the criminal justice process.

Vision Statement:

Victims Services' vision is that:

- all victims of crime on Prince Edward Island who require assistance through the criminal justice process will be referred at the earliest opportunity to Victim Services; and
- the response of all criminal justice personnel will be guided by the Statement of Principles in the *Victims of Crime Act*.

Values:

The Statement of Principles in the *Victims of Crime Act*, listed in Part I of this Annual Report, provides the value base for Victim Services.

Goals:

Victim Services Goals are:

- to provide prompt, effective assistance to victims of crime, especially victims of crimes against the person, but not excluding any victim who needs assistance through the criminal justice process;
- to tailor the assistance provided to meet the needs of the particular client;
- to provide services to any victim of crime requiring assistance, regardless of their geographic location on Prince Edward Island;
- to investigate criminal injuries compensation claims and complete the case analysis for each claim as quickly as possible;
- by working collaboratively with the police and Crown attorneys, to ensure that all victims of crimes in which charges are laid are informed of their right to prepare and file a victim impact statement;
- to ensure that victims understand the implications of preparing and filing a victim impact statement and do so voluntarily;
- to promote the use of the *Victims of Family Violence Act* in appropriate cases.

Victim Services uses an outreach approach to inform victims about the available services, rather than leaving it to victims of crime to find out about the service at the time they need it. Most referrals to Victim Services come from municipal police and RCMP across the province and Victim Services staff follow up from the initial police response to victims of crime. In some cases, victims contact Victim Services prior to reporting to the police. Victim Services staff make ongoing efforts to inform police about the services available through Victim Services and to encourage early referrals.

Statistics

Once a referral is received, Victim Services' staff contact victims at the earliest opportunity by telephone, if possible, or by letter enclosing a Victim Services brochure. In some cases, the first contact is in person, when the victim comes to the Victim

Services' office or meets the worker at the police station. In 2000/01, 574 victims were first contacted by telephone, 141 by letter, and in 43 cases, the first contact was in person.

Victim Services cases are categorized in the following classifications: general, sexual abuse, wife abuse, other family abuse, and commercial/institutional. The following table illustrates the total and percentage of each type of case opened in 2000/01. The table also indicates the police agency involved with each case. In 2000/01, 51 percent of Victim Services new cases involved general victims; 30 percent wife abuse victims; 11 percent sexual abuse victims; 5 percent other family abuse victims; and 3 percent commercial/institutional victims.

TABLE I

VICTIM CASE CLASSIFICATION: NEW CASES 2000/2001

Police Jurisdiction	General	Sexual Abuse	Wife Abuse	Other Family Abuse	Commercia/ Institutional	TOTAL
Alberton RCMP	19	9	13	0	2	43
Borden PD	0	0	0	0	0	0
Ch'town PD	194	34	80	13	4	325
Ch'town RCMP	53	12	38	5	1	109
Kensington PD	2	1	4	0	0	7
Montague RCMP	22	5	25	4	0	56
S'side RCMP	20	12	18	1	1	52
S'side PD	74	4	35	14	15	142
Souris RCMP	6	1	8	3	0	18
Out of Province	0	2	2	1	0	5
No Police Involvement	0	0	2	0	0	2
GRAND TOTALS	**390**	**80**	**225**	**41**	**23**	**759**
PERCENTILE	**51**	**11**	**30**	**5**	**3**	**100**

The total of 759 new cases represents an increase of 105 when compared with the 1999/2000 fiscal year. Most of this increase was in the "general" case classification, which increased from 288 cases in 1999/2000 to 390 cases in 2000/01.

It is likely that this increase can be accounted for by section 722.2(1) of the *Criminal Code*, which came into effect December 1, 1999, as part of an Act to amend the *Criminal Code* (Bill C-79). Section 722.2(1) states that the court shall inquire whether the victim has had an opportunity to prepare a victim impact statement. Because of this amendment, the police have been routinely informing victims of their right to prepare a victim impact statement and have been making more referrals to Victim Services, especially of "general" victims.

New cases from R.C.M.P. detachments increased significantly from all detachments except Souris, which decreased by 2. Summerside Police cases increased from 84 to 142 and Charlottetown Police cases remained high at 325 (a decrease of 1 case).

In addition to the 759 new cases, 468 cases from previous years continued to be active.

Assaults, including all levels of assault from common assault to aggravated assault, are by far the most frequent type of crime in Victim Services' cases, representing 35 percent of the new cases in 2000/01. The next most frequent types of crime for Victim Services cases were: thefts (13%), sexual assaults (10%), harassment (9%), threats (8%), and damage to property (7%). It is interesting to note that Victim Services dealt with substantially more property-related offences (especially thefts, damage to property, fraud, and possession of stolen property) in 2000/01 compared to 1999/2000. This is again related to the *Criminal Code* amendment regarding victim impact statements noted above.

The victim and suspect or offender were known to each other in 461 of the 759 new cases. There was a family-type relationship in 279 of these cases. In family-type cases, the suspect or offender was most frequently a husband (66 cases), a common-law husband (44 cases), or an ex-common-law husband (32 cases). The most frequent non-familial relationship was general acquaintance (29 cases).

The proportion of Victim Services clients victimized by adult offenders compared with young offenders has been quite consistent over the years. In 2000/01, in 90 percent of Victim Services cases, the offenders were adults.

Age ranges of Victim Services' new clients were as follows: under 12 years (3%); 12 - 20 years (18%); 21 - 40 years (32%); 41 - 60 years (12%); 61 years and over (3%); unknown/not recorded (31%). Seventy-one percent of Victim Services' new clients were females.

Assistances provided to Victim Services' clients are summarized in the following table:

TABLE II

ASSISTANCE PROVIDED
2000/2001

Type of Assistance	Number of Times Provided
INFORMATION about	
• status of the investigation	225
• the criminal justice system	195
• available services	737
• court procedures	388
• court dates	607
• court status and disposition	606
• financial options	39
• corrections/offenders' status	179
EMOTIONAL SUPPORT	955
Short-term COUNSELLING	139
REFERRALS for legal, financial, or counselling assistance	76
Support through the COURT PROCESS	
• court orientation tour	88
• appointment with the Crown Attorney	89
• transportation to court/Crown Attorney	46
• accompaniment to court	130
Assistance with preparing VICTIM IMPACT STATEMENTS	226
Information about/assistance with CRIMINAL INJURIES COMPENSATION	267
WRITTEN MATERIALS (booklets, brochures, etc.)	316
OTHER (including assistance under the *Victims of Family Violence Act*)	79

A comparison of Table II, Assistance Provided, in 2000/01 with the 1999/2000 year shows substantial increases in the Information Categories as well as in assistance with preparing victim impact statements. This illustrates that victims referred for

assistance with victim impact statements also receive other services from Victim Services.

An important objective of Victim Services system-based approach is to provide a seamless service by maintaining liaison with criminal justice and community agencies. Contacts by Victim Services staff on behalf of clients are summarized in the following table:

TABLE III

LIAISON WITH OTHER AGENCIES
2000/2001

Agency Contacted	Number of Contacts
Police	639
Crown Attorneys	494
Probation Services	154
Provincial Corrections	30
Federal Corrections	43
Other Government and Community Agencies	170

When concluding cases, Victim Services staff record the clients' reactions to the assistance provided. In 2000/01, 300 victims were very positive, and 356 were positive. For cases involving family members, 64 were very positive and 35 were positive. No victims or family members were recorded as reacting negatively to Victim Services.

The level of service provided by Victim Services varies depending on the needs of the client. In 2000/01, 18 percent of clients required a high level of assistance involving many hours of staff time, 32 percent a medium level of assistance and 40 percent a low level of assistance. In 10 percent of the cases, the victims did not respond to the letter sent by Victim Services informing them of the available services.

Victim Impact Statements

Since 1989, Victim Services has been designated by Lieutenant Governor in Council as the program responsible for preparing and filing victim impact statements. Victim impact statements outline the physical, emotional, and financial effects of the crime on the victim. After determination of guilt, the judge takes victim impact

statements into consideration when deciding on sentence. In 2000/01, 226 victim impact statements were prepared and filed with the court, an increase of 39 over the 1999/2000 fiscal year, which had increased by 30 from the previous year. This trend of increasing numbers of victim impact statements results from the amendment to section 722.2(1) of the *Criminal Code* mentioned earlier.

Criminal Injuries Compensation

Under the *Victims of Crime Act*, Victim Services is responsible for investigating claims for criminal injuries compensation. Victim Services staff also assist victims with preparing their applications and gathering information to support their claims. Victim Services staff prepare a case analysis regarding each claim.

Since 1989, a lawyer within the Legal Services Division has been responsible for adjudicating claims and writing a report, including recommendations, to the Attorney General who makes decisions regarding claims. The Legal Services lawyer has many other responsibilities besides adjudicating compensation claims. Over the years, a backlog of claims gradually developed at the adjudication stage.

Amendments to the *Victims of Crime Act* and Regulations which came into effect August 7, 1999, were designed to speed up the adjudication process by providing that:

- claims under $1,000 can be decided upon by a person designated by the Attorney General without the necessity of writing a report (the adjudicator in Legal Services and the Provincial Manager of Victim Services are designated persons);
- adjudication of claims exceeding $1,000 can be done by either the adjudicator or the Provincial Manager (a report to the Attorney General is required for these claims);
- for claims resulting from the death of a victim, after deduction of funeral and other expenses, the maximum award is to be divided equally among all dependents (rather than pro-rating on a dependency basis as was previously the case).

In the 2000/01 fiscal year, 31 new compensation applications were filed, 43 were carried over from the previous year, and 27 decisions were made. Forty-four compensation files were carried forward to the next fiscal year. Eleven more compensation applications were filed in 2000/01 than in 1999/2000.

Further information and statistics regarding criminal injuries compensation are contained in Part IV of the Annual Report.

Victims of Family Violence Act

The *Victims of Family Violence Act* came into effect in December, 1996. Prince Edward Island was the second jurisdiction in Canada to enact family violence legislation. Under this *Act*, Emergency Protection Orders are available 24 hours/day from designated justices of the peace. In non-emergency situations, longer-term Victim Assistance Orders are available by application to the Supreme Court.

Victim Services staff assist with training and ongoing monitoring and promotion of the use of the *Victims of Family Violence Act*. Victim Services staff also provide Information Kits and make referrals for legal assistance for victims needing Victim Assistance Orders. Due to difficulties with obtaining timely legal assistance, very few applications for Victim Assistance Orders have been made.

In 2000/01, 22 Emergency Protection Orders were granted under the *Victims of Family Violence Act*. This represents a decrease from 28 Emergency Protection Orders granted in 1999/2000. Emergency Protection Orders have generally been decreasing for the past several years.

Victim Services staff presented on the *Victims of Family Violence Act* and Victims Services to municipal police and R.C.M.P. officers on five occasions during the 2000/01 fiscal year, as well as training new Victim Services Workers and Transition House Association Outreach Workers on the *Act*. The Provincial Manager presented on family violence legislation at a conference in Cornerbrook, Newfoundland in February and at the Federal/Provincial/Territorial Spousal Abuse Forum in March, 2001.

Justice Canada, the R.C.M.P., and the Community and Correctional Services Division, Office of the Attorney General, contributed funding for a full evaluation of the *Victims of Family Violence Act* conducted by Bradford and Associates between October, 2000, and March, 2001. Victim Services staff assisted by contacting clients who had obtained Emergency Protection Orders to ask if they would consent to be interviewed. The Provincial Manager was responsible for the research contract and participated on the Evaluation Sub-committee.

The evaluation included a file review, a survey of police officers, and interviews with victims, Justices of the Peace, Victim Services workers, Supreme Court Justices, and Registrars, Transition House Association staff, and key informants.

New Initiatives

With funding assistance from the Policy Centre on Victims Issues, Justice Canada, Victim Services initiated two projects during the 2000/01 fiscal year. A Special Projects Officer was hired, beginning in January, 2001, for a two year period, to

assist with alleviating the high caseload in the Charlottetown area, backfilling for other Victim Services workers when on vacation or other leave, and conducting research.

A Development and Training Officer worked from January through March, 2001 to explore the need for Victim Assistants to supplement the services provided by Victim Services Workers to francophone and Aboriginal victims of crime; consider an outreach approach to senior citizens; and update and organize training materials. The Eastern Region worker was seconded to carry out this three month project and a temporary Victim Services Worker was hired to backfill in the Eastern Region (the areas covered by the Charlottetown, Montague, and Souris R.C.M.P. detachments). The secretary in the Western Region office provided secretarial assistance for this project.

Other Activities

Maintaining cooperative working relationships with other criminal justice and community agencies in order to coordinate case management and effect positive long-term change for victims of crime is an important part of Victim Services work. Staff from the Western Region participated on interagency committees on family violence in East Prince (nine meetings) and West Prince (two meetings). The Western Region worker also participated on the East Prince Child Sexual Abuse Coalition, attending three meetings, and served as a resource person for a play on family violence. The Secretary for the Western Region office represented Victim Services on planning committees for Crime Prevention Week and conference, attending four meetings and the Conference on June 12 - 17, 2000.

The Eastern Region worker replaced the Provincial Manager on the Provincial Advisory Committee on Child Sexual Abuse, attending two meetings.

The Provincial Manager continued her participation on the Premier's Action Committee on Family Violence Prevention (eight meetings) and the Administration Sub-committee (seven meetings), as well as the Advisory Committee on Women and Addictions (one meeting). The Provincial Manager continued to chair the Coalition for Woman Abuse Policy and Protocol (eight meetings) and the Justice Working Group sub-committee (two meetings) and participated in a workshop for this project on November 7, 2000.

The Provincial Manager and Secretary provide executive and administrative assistance to the Victim Services Advisory Committee (VSAC) and sub-committees. The VSAC meets four times per year and the co-chairs and Provincial Manager meet regularly between meetings. One of two major projects for the VSAC during 2000/01 was the implementation of recommendations from the report on *Family Violence and the Justice System Response* (see Appendix A, Part II of this Annual Report). The Provincial Manager organized and participated in twelve meetings focussed on implementing the recommendations.

The second major project of the Victim Services Advisory Committee was the Roundtable on Victims Issues held on October 25 and 26, 2000. Four staff from Victims Services attended the Roundtable. Planning for and follow-up from the Roundtable involved four meetings for the Provincial Manager, as well as drafting responses and correspondence.

The Provincial Manager participated in several new community or government projects and planning initiatives during the year, including: Justice Options for Women Who Are Victims of Violence (five meetings), the Advisory Group for the PEI Women's Coalition Legal Aid Project (three meetings and one conference), the Family Law Section Planning Committee (seven meetings), Woman Abuse and the PEI Legal System Research Team (four meetings) and Youth Criminal Justice Act planning (three meetings).

The Provincial Manager continued with Federal/Provincial/Territorial activities. These included participation on the F/P/T Working Group on Victims of Crime, the Ad Hoc F/P/T Working Group on Spousal Abuse Policies and Legislation, and attendance at the National Forum on Spousal Abuse in March, 2001. Funding assistance from the Policy Centre on Victims Issues, Justice Canada, has been instrumental in facilitating participation in these activities. Victim Services staff also assisted with national research on Victim Impact Statements; two staff attended the International Symposium on Victimology in Montreal in August, 2000; and one worker attended a regional meeting in Halifax in March, 2001, as part of a National Consultation on Victims held by Solicitor General Canada.

As one of three sections in the Community and Correctional Services Division, Victim Services staff participate in Divisional meetings and other activities. The Provincial Manager attended seven Division Managers meetings, six Program Managers meetings, two site visits, and an employee wellness planning workshop. The Western Region worker attended two meetings of the Divisional Priorities Committee.

Victim Services staff attended various workshops and consultations during the year, on topics including family violence, Child victims, restorative justice, youth justice, sex offenders treatment, information technology security, *Criminal Code* amendments and Aboriginal community justice. The Eastern Region worker, Melody Lane Gay, participated in the Foundation Program of the Pathways to Leadership Public Service Development Program. This included participation in eleven workshops during this fiscal year.

Victim Services staff presented on Victim Services and related topics to two UPEI classes, three community groups, one church group, and on a radio panel. In addition, the Provincial Manager participated in a panel and video on Restorative Justice sponsored by the Law Commission of Canada. Victim Services staff also continued to respond to numerous requests from other provinces and territories for

information regarding Victim Services, the *Victims of Crime Act*, and the *Victims of Family Violence Act*.

The following objectives which were established for the 2000/01 fiscal year have been met through the following means:

- decreasing the backlog of criminal injuries compensation claims: through procedural amendments as described above and the diligent efforts of the Adjudicator in the Legal Services Division, the backlog has been reduced to a manageable level;

- alleviating the excessively high caseload of the Charlottetown worker: tThe two-year Special Projects Officer project described above has achieved this objective on a temporary basis;

- increasing the secretarial position in the Prince County office to full-time: this position was changed to a full-time position effective September 12, 2000;

- continuing revisions for literacy levels of Victim Services information materials, in particular the Criminal Injuries Compensation Information Sheet: revisions to this Information Sheet were completed in January, 2001;

- obtaining funds for an evaluation of the *Victims of Family Violence Act*: funds were obtained as described earlier.

The following objectives were not met and will be carried forward into the 2001/02 fiscal year:

- translating the Criminal Injuries Information Sheet into French;

- finding ways to help victims exercise their limited rights and obtain legal assistance when needed;

- accessing website development assistance to put training materials on Victim Services and the *Victims of Family Violence Act* on-line, particularly for use by police officers.

Additional objectives for the 2001/02 year include:

- based on the evaluation of the *Victims of Family Violence Act*, developing a renewed approach to the administration of the *Act;*
- seeking approval to establish an additional permanent position at Victim Services to follow from the 2 year temporary Special Projects Officer position;
- exploring the feasibility of conducting research on victims' experiences with Alternative Measures;
- with the cooperation of courthouse administrators, setting up and furnishing a child witness waiting room in the Law Courts Building in Charlottetown;
- beginning a process for monitoring and evaluating victims' experiences with the criminal justice system.

Victim Services offices are located in Charlottetown and in Summerside.

Personnel include:

Ellie Reddin, Provincial Manager
Jean Profit, Victim Services Worker, Western Region
Melody Lane Gay, Victim Services Worker, Eastern Region (April - December)
Joy Coffin, Victim Services Worker, Eastern Region (January - March), temporary
Evelyn Marshall, Assistant Victim Services Worker, Charlottetown Area
Dina DesRoches, Special Projects Officer, Charlottetown Area, temporary
Dianna Cudmore, Secretary, Charlottetown Office
Carol Gallant, Secretary, Summerside Office.

PART IV CRIMINAL INJURIES COMPENSATION PROGRAM

INTRODUCTION

Criminal injuries compensation is the payment of money from public funds to compensate victims of crimes for pain and suffering and expenses resulting from injury or death caused by certain crimes. Criminal injuries compensation is a fund of last resort, i.e., other means of compensation or reimbursement are to be sought first.

Authority for Prince Edward Island's Criminal Injuries Compensation Program is contained in Part IV of the *Victims of Crime Act*, which was proclaimed in force September 30, 1989. Amendments to Part IV which came into effect August 7, 1999 were designed to further simplify and speed up the process for assessing compensation claims.

The *Victims of Crime Act* is not retroactive; criminal injuries compensation can only be awarded in respect of an injury or death resulting from an act that occurred after September 30, 1989.

VALUES

Criminal injuries compensation is one means to take action on principle (b) from the Statement of Principles in the *Victims of Crime Act*, i.e., "Victims should receive prompt and fair financial redress for the harm they have suffered."

In some Canadian Provinces, criminal injuries compensation programs began in the 1970's. In 1974, the Law Reform Commission of Canada described the purpose of criminal injuries compensation, as follows:

> Restitution by offenders cannot deal with all cases in which there is a need to pay back the loss suffered by victims of crime. In some instances an offender may not be able or willing to pay restitution, or, having agreed to pay, may for various reasons be unable to pay all or part of the amount required. In another type of case, the offender will not be known or proceedings may not be undertaken because of lack of evidence. Accordingly, there is a need to consider a scheme of compensation from the state to supplement restitution from the offenders.
>
> Compensation for victims of crime can be a valuable tool in supporting the purposes of the criminal law. As suggested in the Commission's working paper, The General Principles of Sentencing and Dispositions, the Commission is of the view that one of the purposes of the criminal law is

to protect core values. At the basis of any society is a shared trust, an implicit understanding that certain values will be respected. Some of these values are thought to be so important that they are protected through various provisions of the criminal law. A violation of those values in some casus may not only be an injury to individual rights, but an injury as well to the feeling of trust in society generally. Thus, the law ought not only to show a concern for the victim's injury but also take concrete measures to restore the harm done to public trust and confidence. Public confidence and trust might also be reinforced by prompt police action or dispositions that demonstrate a serious concern for the wrong done. This concern, however, is directed against the offender. Compensation, on the other hand, is directed towards the victim and should not be lost sight of as another meaningful and visible demonstration of societal concern that criminal wrongs be righted.

SUMMARY OF THE LEGISLATION

In general, a claim for criminal injuries compensation may arise in the event of injury or death by an act that occurred in Prince Edward Island, and that injury or death must have directly resulted from the commission of a criminal offence prescribed in the Regulations under the *Victims of Crime Act*. The applicant need not be a resident of Prince Edward Island.

The term "injury" is specifically defined in the *Victims of Crime Act* to mean actual bodily harm, including emotional trauma or pregnancy resulting from sexual assault, and mental or nervous shock. If a person suffers only property damage or loss as a result of a prescribed crime, he or she is not eligible for criminal injuries compensation. It is not necessary that anyone be prosecuted or convicted for the crime, but an award may be delayed pending the outcome of the criminal process. A determination of guilt is conclusive evidence that an offence has been committed.

The *Victims of Crime Act* also contains a "Good Samaritan" clause which provides that criminal injuries compensation may be awarded if the victim was assisting a police officer, or trying to stop or lawfully arrest someone committing or about to commit a crime. In the case of a Good Samaritan, the offence need not be included in the list prescribed by the Regulations of the *Victims of Crime Act*.

Eligible Applicants

The Attorney General may order criminal injuries compensation

1. To or for the benefit of the victim;

2. To any person, in respect of financial loss suffered by or expenses incurred by that person as the result of the death or injury of the victim;
3. To any one or more of the dependants of the victim.

Contributory Behavior/Unlawful Activity

If the victim is culpable in relation to the offence or at the time of the offence was engaged in unlawful activity, criminal injuries compensation may be reduced or denied. Any behaviour on the part of the victim that contributed to the injury or death must also be considered when the claim is being assessed.

Compensable Losses

Compensable losses include:

1. Reasonable expenses incurred or likely to be incurred as a result of the victim's injury or death;
2. Financial losses resulting from total, partial or temporary disability affecting the victim's capacity for work;
3. Financial loss to dependents resulting from the victim's death;
4. Pain and suffering;
5. Maintenance of a child born as a result of sexual assault;
6. Financial loss incurred in respect of grief or sorrow as a result of the victim's death; and
7. Other financial loss resulting from the victim's injury, and any other expense that, in the opinion of the Minister or, in the case of a small claim, in the opinion of a designated person, it was reasonable to incur..

Calculation of the Award

The *Victims of Crime Act* directs that, when assessing an award for compensation, a designated person shall be guided by previous compensation awards made under the *Act* and Regulations and may consider awards based on similar legislation in other Canadian jurisdictions.

Deductions must be made for amounts recovered from the person who caused the injury, and any benefits received as a result of the incident under any federal or provincial statute other than benefits under a pension plan (e.g. employment insurance benefits, workers' compensation, social assistance payments accident and disability insurance will be deducted, but Canada Pension Plan disability benefits **will not** be deducted). Benefits received as income replacement are not deducted from claims for pain and suffering.

Where a victim is injured as a result of a compensable crime, the designated person shall calculate the total loss and make deductions as noted above before applying the maximum limits.

Where a victim is killed as a result of a compensable crime, after deducting funeral or other expenses and after considering any contributory or unlawful behavior as outlined above, the designated person shall divide the maximum award equally among all dependants who apply for compensation.

Maximum Award

The maximum amount payable to ALL APPLICANTS is respect of the injury or death of one victim is $15,000. The maximum amount payable to ALL APPLICANTS in respect of one occurrence (that is, one incident resulting in injury or death to more than one victim) is $30,000. The award cannot exceed these limits.

Time Limit

An application for criminal injuries compensation must be made within one year of the date of the injury or death, but the Attorney General may extend the time in special circumstances.

Right of Appeal

The decision of the Attorney General on a criminal injuries compensation claim may be appealed to a judge of the Supreme Court, Trial Division, on any question of law. An appeal must be filed within thirty days of the Attorney General's decision.

Variation of an Award

An award may be varied within two years of the date of the Order upon the filing of an application for a variation by any interested person, or upon the Attorney General's own initiative. The applicant must provide all relevant documentation within one year of applying for the variation, or must state in writing why the documentation is not yet available.

Subrogation Rights

An applicant is required to notify the Attorney General of any civil action he or she initiates against the person who caused the injury or death.

Interim Compensation

Interim compensation may be paid to an applicant in respect of financial expenses related to the victim's injury if -

1. the applicant is in immediate financial need, and
2. it appears to the Attorney General or designated person that a criminal injuries compensation award will probably be granted.

PROCEDURE

An applicant need not retain the services of a lawyer to make a criminal injuries compensation claim.

Victim Services staff are available to assist with completion of the application form. Once the application form is completed, Victim Services staff conduct an investigation and gather all relevant documentation. Victim Services staff then write a Case Analysis and forward it to the Provincial Manager of Victim Services.

The Provincial Manager and a lawyer in the Legal Services Division, Office of the Attorney General, are "designated persons" responsible for determining eligibility and assessing the amount of awards.

For claims larger than $1,000, the designated person writes a report to the Attorney General with recommendations regarding eligibility and amount. The Attorney General then makes the decisions regarding these claims.

For small claims (up to $1,000) and for interim claims up to $1,000, the designated person can act on behalf of the Attorney General and make or decline to make, an order.

VOLUME OF APPLICATIONS

During the fiscal year 2000/01, thirty-one new applications for criminal injuries compensation were filed. Forty-three applications were carried over from the previous year.

Twenty-four final decisions and three interim decisions were made in 2000/01. No claims were denied, six claims were reduced and seventeen full awards were granted.

The following statistical tables summarize the criminal injuries compensation program during 2000/01:

TABLE IV

Applications - Statistical Summary
April 1, 2000 - March 31, 2001

New applications filed		31
Applications carried over from last year		43
Variation applications		2
Appeals		0
TOTAL		76
Decisions made:		28
award denied	0	
full award granted	17	
interim award	3	
reduced award	6	
variation	2	
Withdrawn applications		2
Files carried forward to 2000/2001		44

TABLE V

Categories of Victims
(Based on compensation Awarded)
April 1, 2000 - March 31, 2001

TYPES OF VICTIMS	NUMBER
General	12
Other family abuse	1
Sexual abuse	9
Wife abuse	6
TOTAL	28

TABLE VI

Crimes Involved in Final Awards Granted from
April 1, 2000 - March 31, 2001

CRIMINAL CODE SECTION	NUMBER OF AWARDS
151 (sexual interference)	1
153 (sexual exploitation)	1
173 (exposure)	2
235 (murder)	1
266 (assault)	4
267 (assault with weapon/causing bodily harm)	11
271 (sexual assault)	3
TOTAL	23

TABLE VII

Reasons for Reduced and/or Denied Awards
April 1, 2000 - March 31, 2001

REASON	REDUCED	DENIED
Victim culpability/ contributory behaviour	6	0

TABLE VIII

Location of Offences
(New Applications and Variation Applications)
April 1, 2000 - March 31, 2001

POLICE JURISDICTION	# OF OFFENCES
Alberton R.C.M.P.	1
Charlottetown City Police	20
Charlottetown R.C.M.P.	9
Summerside City Police	3
TOTAL	33

TABLE IX

Compensation Ordered*
April 1, 2000 - March 31, 2001

Pain and suffering	$ 65,431
Expenses	19,193
TOTAL AWARDED	$ 84,624

*NOTE: Compensation awarded in one fiscal year may be paid out in a different fiscal year, e.g., for dental expenses.

TABLE X

Age and Gender of Victims
(Based on Compensation Awarded)
April 1, 2000 - March 31, 2001

	# OF VICTIMS
1-10	1
11-20	7
21-30	9
31-40	3
41-50	2
51-60	3
61-70	0
71 +	0
TOTAL	25

GENDER	
Female	11
Male	14
TOTAL	25

PART V VICTIM ASSISTANCE FUND

Victim Services

Summary of Revenue and Expenditures

	BUDGET AMOUNT	ACTUAL YEAR ENDED MARCH 31, 2001	PROJECTS
Revenue			
Victim Surcharge			
- federal offences	34,000	37,245*	
- provincial offences	140,000	120,938*	
Community Service Work option	0	240	
Restitution/civil suit reimbursement	0	1,383	
Victims of Crime Fund (Justice Canada)	0	31,950**	31,950
Evaluation, VFV Act			
- RCMP	0	5,500***	5,500
- Transferred from Division Accounts	0	5,500***	5,500
TOTAL REVENUE	174,000	202,756	42,950
MINUS PROJECT REVENUE		- 42,950	
		159,806	

NOTES:

* This includes some revenue from the 1999/00 fiscal year which was not transferred from the courts to Victim Services until this fiscal year.

** The $31,950 revenue received from the Victims of Crime Fund was for two Victim Services projects (Special Projects Officer and Development and Training Officer).

*** The $5,500 revenue received from the R.C.M.P. and the $5,500 transferred from Division Accounts was for an Evaluation of the *Victims of Family Violence Act*. An additional $11,000 from Justice Canada was not received before fiscal year end and will be included in the 2001/02 accounts.

Victim Services
Summary of Revenue and Expenditures

	BUDGET AMOUNT	ACTUAL YEAR ended March 31, 2001	PROJECTS
Expenditures			
Administration	9,300	10,770	762
Equipment	800	5,338	3,631
Materials/supplies	3,500	1,711	0
Salaries/benefits	264,200	275,152	25,679
Professional Services (Evaluation, VFV Act)	0	22,000	22,000
Travel	12,000	14,612	1,358
Criminal Injuries Compensation	100,000	76,093	0
TOTAL EXPENDITURES	389,800	405,676	53,430
MINUS PROJECT EXPENDITURES		- 53,430	
		352,246	

NOTE: All project expenditures were for the two Victim Services projects noted on the preceeding page, except that the Professional Services expenditure was for the Evaluation of the *Victims of Family Violence Act.*

ACCOUNTING PROCEDURES

All revenues and expenditures related to Victim Services are recorded in the accounts of the Province and included in the Public Accounts.